

TRANSMITTAL LETTER			Case No. 56/415
Serial No. 10/635,422	Filing Date August 6, 2003	Examiner Unassigned	Group Art Unit 2877
Inventor(s) Wolfgang Holzapfel et al.			
Title of Invention INTERFERENTIAL POSITION MEASURING ARRANGEMENT			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate); Information Disclosure Statement; PTO 1449 along with five (5) cited references; Postcard Evidencing Receipt.

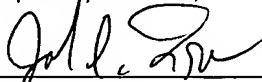
- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 43 =			x \$86 =	
+ \$145 =			+ \$290 =	
Total add'l fee	\$		Total add'l fee	\$

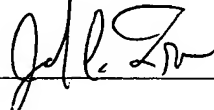
- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
John C. Freeman  
Registration No. 34,483  
Attorney for Applicant  
Customer No. 00757 - Brinks Hofer Gilson Lione

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 26, 2003.

Date: November 26, 2003 Signature: 



FORM PTO 1449	SERIAL NO. 10/635,422	CASE NO. 56/415
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE August 6, 2003	GROUP ART UNIT 2877
(use several sheets if necessary)		APPLICANT(S): Wolfgang Holzapfel et al.

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,430,546	07/04/1995	Huber		
	A2	5,574,558	11/12/1996	Kudo et al.		
	A3	6,005,667	12/21/1999	Takamiya et al.		

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A4	0 446 691 B1	07/06/1995	EP		Yes

#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.					
	A5	Jörg Wilhelm, "Dreigitterschrittgeber," Dissertation made at Hannover Technical University, 1978, pp. 47-52.				

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Name of Registered Representative:

John C. Freeman  
John C. Freeman, Reg. No. 34,483

November 26, 2003  
Date of Signature

PATENT  
CASE NO. 56/415

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
Wolfgang Holzapfel et al. )  
Serial No.: 10/635,422 ) Group Art Unit: 2877  
Filed: August 6, 2003 ) Examiner: unassigned  
For: INTERFERENTIAL POSITION )  
MEASURING ARRANGEMENT )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for consideration by the Examiner. Copies of the references are enclosed along with a completed copy of Form PTO-1449.

## **I. DISCLOSURE**

### **A. U.S. Patents**

<b><u>Patent No.</u></b>	<b><u>Inventor</u></b>	<b><u>Issue Date</u></b>
5,430,546	Huber	07/04/95
5,574,558	Kudo et al.	11/12/96
6,005,667	Takamiya et al.	12/21/99

### **B. Foreign Patent References**

<b><u>Reference No.</u></b>	<b><u>Country</u></b>	<b><u>Publication Date</u></b>
0 446 691 B1	EP	07/06/94

### **C. Literature**

1) Jörg Willhelm, "Dreigitterschrittgeber," Dissertation made at Hannover Technical University, 1978, pp. 47-52.

## **II. DISCUSSION**

### **A. European Reference No. 0 446 691**

Based solely on the drawings and the attached English-language Abstract, the '691 reference is pertinent because it appears to disclose a phase grid that can adjust intensity properties and phase angles of partial beams diffracted in different orders. It is believed that U.S. Patent No. 5,430,546 corresponds to the '691 reference.

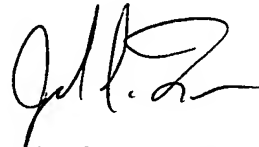
### **B. Willhelm Dissertation**

The pertinence of the Willhelm dissertation is discussed in paragraphs 0003 and 0006 of the present application.

### **III. CONCLUSION**

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicants wish to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicants' desire, however, to have these references available in the record for both the Examiner and the public to see. Applicants therefore request that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

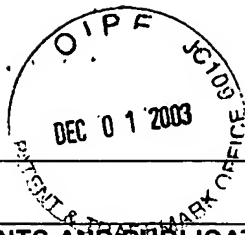
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John C. Freeman', is written over a horizontal line.

John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

BRINKS HOFER  
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(312) 321-4200

Dated: November 26, 2003



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EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>	
	A5	Jörg Willhelm, "Dreigitterschrittgeber," Dissertation made at Hannover Technical University, 1978, pp. 47-52.

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